

expenses, shall be used to maintain and/or purchase new equipment and the other fifty (50) per cent shall be used for various youth programs administered by the department of parks and recreation.

(No. 26942-1, 5-8-02)

Sec. 17-74. Youth services fund.

This fund shall consist of revenue received in the form of all gifts and donations, fees and/or funds received from any entity or event for the youth services program and Commission on Youth Services Annual Awards Breakfast.

(Res. No. 29121-2, 9-13-06)

Sec. 17-75. Persons with disabilities fund.

This fund shall consist of revenue received in the form of all gifts and donations, fees and/or funds received from any entity or event for the Commission on Persons with Disabilities, Americans with Disabilities Annual Celebration and Commission on Persons with Disabilities, Employment of Persons with Disabilities Annual Awards Breakfast or any like event or services for the advancement of persons with disabilities.

(Res. No. 29121-2, 9-13-06)

Sec. 17-76. Parks and recreation fund.

This fund shall consist of revenue received in the form of gifts and donations to the department of parks and recreation to be used for any program administered by the department.

(Res. No. 29121-2, 9-13-06)

Chapter 18 PEST CONTROL*

***Cross references:** Animals, Ch. 6; buildings and building regulations, Ch. 7; fire prevention and protection, Ch. 8; food and food establishments, Ch. 10; garbage, trash and refuse, Ch. 11; health regulations, Ch. 12; housing, Ch. 13; licenses, permits and miscellaneous business regulations, Ch. 14; sewers and sewage disposal, § 23-16 et seq.

Sec. 18-1. Definitions.

As used in this chapter:

Building shall mean any structure, public or private, that is used for residential or business purposes of any kind.

Director of health shall mean the city health officer or his duly authorized representative.

Occupant shall mean the individual, partnership or corporation that uses or occupies any building or part or fraction thereof; whether the actual owner or tenant. In case of vacant

buildings or vacant portions thereof, the owner, agent or custodian shall have the responsibility as occupant.

Owner shall mean the individual, partnership or corporation who:

- (1) Shall have legal title to any building with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any building, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner. Any such person thus representing the owner shall be bound to comply with the provisions of this chapter to the same extent as if he were the owner. The lessee shall be construed as the owner when building lease agreements hold the lessee responsible for maintenance and repairs.

Rat, or any term including the word rat, shall include mice.

Rat eradication shall mean the elimination or extermination of rats within buildings by poisoning, fumigating, trapping or any other suggested measure.

Rat harborage shall mean any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under, or outside of any structure.

Ratproofing shall mean a procedure by which all of the existing and potential points of entry into a building are closed and sealed off, so as to prevent the entry of rats into buildings from the exterior, or from one building to another. It consists of sealing all existing openings with materials impervious to rat gnawing, as well as blocking or reinforcing potential areas of rat entry, in exterior walls, ground or first floors, basements, roofs and foundations to a height of forty-eight (48) inches above existing exterior ground level or any areas that may be reached by rats from the ground by climbing or burrowing.

(Code 1970, § 16-1)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 18-2. Buildings to be ratproof and free of rats.

- (a) All buildings shall be ratproofed, freed of rats, and maintained in a ratproof and rat-free condition in a manner satisfactory to the director of health. Repairs to the ratproofing system shall be made by the owners of all buildings whenever necessary, and without a specific order from the director of health to do so.
- (b) No person shall remove and fail to restore to its original condition the ratproofing from any building or to make any new openings that are not closed or sealed against the entrance of rats.

(Code 1970, § 16-2)

Sec. 18-3. Inspections; notice of evidence of rat infestation, rat harborage or inadequate ratproofing.

- (a) The director of health is empowered to make periodic inspections of the interior and exterior of buildings, in accordance with the requirements of chapter 13, to determine

whether or not there is any evidence of rat infestation, new breaks, or openings. When any evidence is found indicating the presence of rats or openings through which rats may enter any buildings the director of health shall inform the owners or occupants of such premises of this condition and shall order the deficiencies corrected by written notice.

- (b) The director of health is empowered to make such additional inspections as may be necessary to determine whether the conditions stated in any notice are being or have been remedied, and whether rat control measures are being continuously maintained in a satisfactory manner.

(Code 1970, § 16-3)

Sec. 18-4. Required compliance with notice--To ratproof.

Upon receipt of the written notice containing the order from the director of health, the owner of any building specified therein shall take immediate measures to ratproof the building. Unless the ratproofing work is completed by the owner in the time specified in the written notice, which in no event shall be less than fifteen (15) days, or within such additional time granted by any extension made by the director of health, the owner shall be in violation of this section.

(Code 1970, § 16.4)

Sec. 18-5. Same--As to rat eradication.

Whenever the director of health has notified the owner or occupant of a building in writing that there is evidence of rat infestation of the building, such owner or occupant shall immediately institute rat eradication measures and shall continuously maintain such measures in a satisfactory manner until the premises are declared by the director of health to be free of rat infestation. Unless such measures are undertaken within five (5) days after receipt of notice, the occupant or owner shall be in violation of this section.

(Code 1970, § 16-5)

Sec. 18-6. Same--As to rat harborage.

- (a) *Occupied premises.* Whenever conditions inside or under occupied buildings provide extensive harborage for rats, the director of health is empowered, after due notification, to close such buildings until the conditions are abated by ratproofing and harborage removal, including any major repairs necessary to facilitate rat eradication.
- (b) *Unoccupied premises.* Whenever conditions inside or under unoccupied buildings provide extensive harborage for rats, the director of health is empowered to require compliance with the provisions of section 18-2 of this chapter and, if such conditions are not corrected within sixty (60) days, or within such additional time granted by any written extension made by the director of health, the director of health is empowered to take such corrective measures as may be necessary to abate such conditions.
- (c) *Expense to be borne by owner of property.*

Expense of such action by the director of health shall constitute a lien against the property by the city, and shall be paid with the annual tax bill; if unpaid, it shall bear interest and

penalty charges the same as the regular tax bill.

(Code 1970, § 16-6)

Sec. 18-7. Ratproofing when building is constructed, repaired or remodeled.

No person shall construct, repair or remodel any building, dwelling, or other structure whatsoever, unless such construction, repair or remodeling shall render the structure ratproof.

(Code 1970, § 16.7)

Sec. 18-8. Storage of feed.

All feed used for chickens, cows, pigs, horses and other animals shall be stored in rat-free and ratproof containers, compartments or rooms, unless stored in a ratproof building.

(Code 1970, § 16-8)

Sec. 18-9. Accumulation of garbage, rubbish or trash.

No person shall deposit or permit to accumulate any garbage, rubbish, or trash in any building or on any premises, improved or vacant, or on any open lot or alley so that the same shall or may afford food or harborage for rats. Containers must be of metallic or heavy plastic material, and be provided with tight-fitting covers.

(Code 1970, § 16-9)

Sec. 18-10. Emergency abatement of rat infestation.

Whenever the director of health finds that a public health emergency exists due to rat infestation of any structure or premises which is likely to cause the spread of plague, typhus fever, rat-bite fever or other disease to residents, he may summarily abate such condition without prior notice to owners or occupants.

(Code 1970, § 16-10)

Sec. 18-11. Effect of non-compliance.

Upon failure of the owner or occupant of a building to comply with notice to abate rat infestation given by the director of health, the city shall have the authority to take whatever measures are deemed necessary by the director of health to remedy the condition found to exist, and the cost and expense thereof shall constitute a lien upon the real property upon which such work is done.

(Code 1970, § 16-11)

Chapter 19 PLANNING*

***Cross references:** Buildings and building regulations, Ch. 7; fire prevention and protection, Ch. 8; flood and erosion control; Ch. 9; housing, Ch. 13; parks and recreation, Ch. 17; streets, sidewalks and public places, Ch. 21; utilities, Ch. 23.